

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Confirmation No: 3613

Applicant: Epstein, Michael A. Atty. Docket: 93418.000027P

Application No.: 09/454,349 Examiner: Sherr, Cristina O.

Filed: December 3, 1999 Art Unit: 3621

Title: KEY DISTRIBUTION VIA A MEMORY DEVICE

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

MAIL STOP - ISSUE FEE
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant, having received a Notice of Allowability in the subject application, hereby submits the following comments on the Examiner's Statement of Reasons for Allowance set forth therein.

Beginning on page three of the Notice of Allowability, statements regarding why each of the claims has been indicated as allowable are provided. Applicant notes however that some of the claims have been mischaracterized.

In particular, the Examiner asserts that independent claim 4 "identifies the uniquely distinct feature of generating a unique identifier at each

occurrence of a write operation.” Applicant notes that claim 4 recites, *inter alia*, a rendering device for rendering content material corresponding to encrypted content material contained on the recording medium, the recording medium also including a recording indicator for generating and storing an original unique identifier and subsequently a current unique identifier in response to first write operations of the encrypted content material being written into the recording medium.

The Examiner also indicates that independent claim 8 “identifies the uniquely distinct feature of generating a unique identifier at each occurrence of a write operation.” Independent claim 8 recites, *inter alia*, a provider of content material including, among other features, a third input for receiving a unique identifier from the recording medium in response to a first writing operation, the recording medium having a recording indicator for generating and storing a unique identifier at each occurrence of a first writing operation.

The Examiner indicates that independent claim 14 “identifies the uniquely distinct feature of generating a unique identifier at each occurrence of a write operation.” Independent claim 14 recites, *inter alia*, a method of providing content material including the step of recording a secure item on the recording medium in a second write operation, the secure item being dependant upon a unique identifier generated by and stored in a recording medium upon each first write operation.

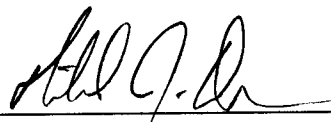
The Examiner indicates that independent claim 18 "identifies the uniquely distinct feature generating a unique identifier at each occurrence of a write operation." Independent claim 18 recites, *inter alia*, a method of rendering content material from a recording medium that includes encrypted content material, an encrypted content key, and a unique identifier generated by and stored on the recording medium each time the encrypted content material is recorded on the recording medium.

Applicant understands that the claims are to be construed as allowed, and any misconstruction or mischaracterization of the claims in the Notice of Allowability is hereby traversed. The claims as allowed recite features that patentably define the invention over the art cited during prosecution.

Any questions concerning this correspondence should be address to applicant's below signed attorney, who may be reached by telephone at 585-232-6500. All written correspondence should continue to be directed to the address on file for this application.

Respectfully submitted,

Dated: December 6, 2006



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